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THE TRIAL OF THE ALCMEONIDAE AND THE CLEISTHENEAN CONSTITUTIONAL REFORMS.

BY GEORGE WILLIS BOTSFORD.

I. INTRODUCTION.

TILL recently it has been universally supposed, so far as I know, that the trial of the Alcmeonidae on a charge of impiety committed in the suppression of the Cylonian insurrection took place before the archonship of Solon (594/3 B.C.).¹ Beloch,² however, following a line of thought suggested by Friedrich Cauer,³ concludes that the Alcmeonidae were not tried till after the adoption of the Cleisthenean constitutional reforms about a century later, and that the story of their trial and banishment told by Plutarch and Aristotle is but a duplicate of the account which Herodotus gives of their expulsion by Cleomenes. Beloch bases his view (1) on the coincidence of circumstances in the two accounts, (2) on the fact that Plutarch mentions the δημοτικόν of the accuser, Myron,—which, as Beloch asserts, proves clearly that the accusation was brought after the institution of the Cleisthenean tribes and demes,—and finally (3) on the authority of Herodotus and Thucydides. These points will be discussed in this paper. But the question as to the date of the trial thus raised is involved in another question, viz., What were the order and nature of the events which belong to the two or three

¹ This was the view of Plutarch, *Solon* 12, and apparently of Aristotle, *Athenian Constitution* 1. There was nothing in the account of the Cylonian affair and banishment of the Alcmeonidae given by Thucydides (i. 126), which seemed to throw doubt on Plutarch's view; and Herodotus' story (v. 70-72) of the expulsion of Cleisthenes and his supporters by the Spartan Cleomenes (cf. also Thuc. *loc. cit.*) was in no way identified with Myron's prosecution of the Alcmeonidae and the resulting exile of their family.

² *Griechische Geschichte*, i. (1893), p. 339, n. 1.

³ *Parteien und Politiker in Megara und Athen* (1890), p. 64 f.

years immediately following the overthrow of Hippias? A consideration of this question may in turn be best introduced by a few remarks on the course of Athenian constitutional history from the times of Draco and Solon to the end of the tyranny.

II. FROM SOLON TO CLEISTHENES.

Much of the work done in Athenian constitutional history has been vitiated by the erroneous notion that there was indeed no *Athenian* constitution, although there were plenty of constitutions manufactured by individuals, as Solon, Cleisthenes, and others, and thrust upon the community with the best intentions perhaps, but with so little statesmanlike foresight, at least in Solon's case, that failure was from the first inevitable. In brief, the opinion has prevailed that the Athenian people wore each of these artificial constitutions like a loosely fitting garment, and were ready to throw it aside as soon as their political tailor had invented a more novel and striking pattern.¹ This notion is unhistorical. It originated among the Greeks themselves, who supposed, for instance, that the Spartan constitution was wholly the work of Lycurgus, and that all the laws of Athens which did not bear the stamp of recent origin owed their existence to

¹ "The lessons of Athenian constitutional history, such as they are, end with the close of the fifth century. Aristotle sums them up in a list of eleven epochs, and when we consider that ten of the changes enumerated fall within a period of barely more than two hundred years, it can but intensify the feeling which inevitably arises from the study of the history of Athens, that, while no nation ever possessed such brilliant philosophical writers with such an aptitude for political theory, none was ever so incompetent to convert those theories into stable political practice"; Kenyon, *Aristotle on the Constitution of Athens* (third edition, 1892), p. xlvii f. Here is an extreme view. We have in this passage, no doubt, a silent contrast with Rome and England. The fact is that the development of the Athenian constitution to the Peloponnesian War is as unbroken as that of the Roman Republic. But the Athenians were not so slow mentally as the Romans and English; naturally, therefore, they manifested greater promptness in relieving themselves of political abuses and disabilities. It is needless to say that most of the changes mentioned by Aristotle (*Ath. Const.* 41) do not involve the exchange of one constitution for another. They are for the most part merely stages of constitutional growth.

Solon. It was in this unhistorical atmosphere that Plato labored on his ideal commonwealth. He felt that he could be author of a constitution as well as Solon and Lycurgus. The discovery of Aristotle's treatise on the Athenian constitution at first sight appears to make a bad matter worse by bringing to light another constitution-maker, Draco. We might temporarily ease our minds of all trouble on Draco's account by declaring the fourth chapter of this treatise an interpolation, as many have done ;¹ but its ghost comes back to haunt us,² and it seems best for the present to leave it a vacant seat. The finding of the treatise appears to me to mark an epoch in the study of Athenian constitutional history. The work, as it stands, robs Solon of some of the laurels he has worn, and distributes them more equitably along the line of his predecessors and successors. Also, in my opinion, it is becoming apparent that (Draco,) Solon, and Cleisthenes were not authors of written constitutions, and that down to the year 411 B.C. in all probability no example of a written constitution, designed for actual use, existed in Athens.³ Aristotle from scant material attempted

¹ E.g. Ed. Meyer, *Forschungen zur alten Geschichte*, i. (1892), p. 236 ff. Beloch, *Griech. Geschichte*, i. p. 311, n. 1; and now Busolt, *Griechische Geschichte*, ii². (1895), p. 36 ff., 224, n. 3.

² Wilamowitz-Möllendorff, *Aristoteles und Athen* (1893), i. p. 76 ff., holds that the fourth chapter is Aristotelian but of later origin than the *Politics* and the rest of the *Constitution*. He considers it contradictory to *Politics* ii. 12, p. 1274 b. Friedrich Blass, *Die sogenannte drakontische Verfassung, Neue Jahrbücher für Philologie und Pädagogik* cli. (1895), p. 476 ff., believes that it is perfectly consistent with *Politics*, *loc. cit.*

³ At that time a committee of one hundred drew up a constitution and wrote it out (ἀνέγραψαν); Arist. *Ath. Const.* 30. But it was never put into force, as the following chapters show. Kenyon, *op. cit.* p. xliii, rightly calls it a paper constitution. Codes of law, as those of Draco, Solon, and Zaleucus (for the latter, Aristotle, *Politics* ii. 12, p. 1274 a, who characterizes Zaleucus as a νομοθέτης in contrast with the constitution-maker), must not be associated with written constitutions, as they belong to a far earlier period. Again, I am thinking only of practical constitutions. There were theoretical or ideal constitutions before 411 B.C., e.g. that of Hippodamus, which was the earliest of this class known to Aristotle, *Politics* ii. 8, p. 1267 b *et seq.* These were necessarily written, and prepared the way to the writing of constitutions for practical use, and to constitutional experimentation in general. By the year 346 B.C. sophistic constitutions were as plentiful as worthless; cf. Isocrates, v. 12.

by means of combinations and inferences from a later state of things to reconstruct the early history of the Athenian constitution. That he met with so considerable a degree of success is owing to the fact that the Athenian constitution is organic, and followed natural laws of growth.¹

At some future time I hope to give this subject further attention, but at present wish only to lay emphasis on the continuity of Athenian constitutional history, since this idea will be useful in our examination of the special subject in hand.

Solon's measures were not a failure.² There was no more slavery for debt; henceforth we hear of no magisterial oppression. True, the factional strife continued; but Solon expected this, else he would not have enacted a law against neutrality in seditions.³ Perhaps with his sunny temperament he hoped that through the operation of this law the government would be able in the course of time to rid itself of its great nobles, just as it finally succeeded in throwing these off through ostracism, a milder and more peaceful substitute for the law against neutrality.

But the interests of peace were promoted more by the rule of the Pisistratidae than by the law above mentioned. Under their government the forms of the constitution continued, the existing offices were not disturbed, Pisistratus not only enforced obedience to the laws, but himself obeyed them.⁴ We should infer from the statement as to the continuance of the existing offices that the Boule of the Areopagus, Boule of 400, Ecclesia, Dicasteria, and Archons were all taking their respective parts in the government. But we are by no means

¹ Niese, *Historische Zeitschrift*, lxix. (1892), p. 59 f., calls attention to the fact that a constitution is an organic growth. It would be going too far, however, to deny, with him, that Solon was the author of important constitutional measures.

² Abbott, *History of Greece*, i. (1888), pp. 450-452, maintains that his laws were a success, but his constitution a failure.

³ Arist. *Ath. Const.* 8; Plut. *Solon* 20.

⁴ Hdt. i. 59; Thuc. vi. 54; Arist. *Ath. Const.* 14, 16; Plutarch, *Solon* 31. The last four years of Hippias' reign may deserve to be called in contrast a time of lawlessness, though this lawlessness affected but a limited number of citizens. Hippias disregarded the laws of Solon and Draco in avenging the death of his brother, hence the statement of Aristotle, *Ath. Const.* 22: καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους ἀφανίσαι τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι.

warranted in supposing that this was a period of constitutional freedom. The despot, backed by the pikes of mercenaries, enforced law and order. Nor is it likely that the Ecclesia and Dicasteria met often or were largely frequented. Aristotle¹ represents Pisistratus as giving the people to understand that they were to attend to their own affairs and that he would for the future manage all the business of the state. Also, he saw to it that the people might have neither the wish nor the time to attend to public affairs.² He further instituted district justices for the country people, that they might not need to come to the city for litigation. Under these circumstances it is difficult to see to what extensive use the Dicasteria could be put, or what purpose the Ecclesia would serve, except perhaps for the annual election of magistrates nominated by the ruling family.³ Probably great numbers of the citizens were practically banished to the country and thus debarred from the enjoyment of political privileges. The points to which I wish to call especial attention are, (1) that under the Pisistratidae there was no noticeable discontinuance of constitutional forms, and, (2) that the people enjoyed in this period no large degree of political power. In this respect the period may be aptly compared with the reign of Augustus.⁴

It may be of advantage to learn why the Pisistratidae were so popular. The reason readiest at hand we may find in the protection which these rulers afforded the masses against oppression from the nobles. The people had put their trust in Pisistratus originally through their hatred of the Pediaeans (the rich).⁵ But the chief ground for the continuance of the tyrants' popularity is to be found in their agrarian policy. According to Aristotle,⁶ Pisistratus exerted himself

¹ *Ath. Const.* 15. Wilamowitz-Möllendorff, *Aristoteles und Athen*, ii. p. 70 f., thinks the Ecclesia may have met monthly. It would be difficult, however, to establish this view from our sources.

² Aristotle, *Ath. Const.* 16.

³ "But under the Peisistratids, its convocation had dwindled down into an inoperative formality;" Grote, *History of Greece* (Harper & Brothers), iv. p. 139; cf. Abbott, *History of Greece*, i. p. 454.

⁴ Cf. Beloch, *Griechische Geschichte*, i. p. 329, n. 1.

⁵ Aristotle, *Politics* ix. 5, p. 1305 a, 22 ff.; cf. Plutarch, *Solon* 29.

⁶ *Ath. Const.* 16.

to improve the condition of the peasantry. In the time of Solon "all the land was in the possession of a few,"¹ but at the beginning of the Peloponnesian War the greater number of peasants were proprietors of the land which they cultivated, and the large estates of the nobles had for the most part disappeared.² The change must have been effected at some time between Solon and the Peloponnesian War. Busolt³ supposes with excellent reason that Pisistratus confiscated the estates of those nobles who fell in the battle of Pallene or fled, after their defeat, from the country, and that he divided these estates among the peasants to hold in full ownership.

It is of especial importance to ascertain the character of the government that belonged to the periods of Pisistratus' exile.⁴ According to Herodotus⁵ it was a time of freedom. There can be no doubt, however, that this signified freedom merely for the nobles, the people enjoying no more rights than under the government of Pisistratus.⁶ During his exile the great party leaders were again at

¹ *Ath. Const.* 2, 4.

² Thuc. ii. 14, 16; cf. Böckh, *Staatshaushaltung der Athener* (1886), i³. p. 80; Whibley, *Political Parties in Athens* (1889), p. 40 f.

³ *Griechische Geschichte*, ii². p. 327 f. F. Cauer, *op. cit.* p. 95 ff., conjectured that Pisistratus rented out this land to the peasants on easy terms, so as to place them in a condition to purchase the lots which they tilled. Busolt supposes that these lots were actually given to the peasants. This is more reasonable, since these lands were subject to taxation; Arist. *Ath. Const.* 16; cf. Thuc. vi. 54. Aristotle, *loc. cit.*, speaks of his advancing money to them, but this may have been additional to the gift of land. This statement of Aristotle is sustained by that of Aelian, *Varia Historia*, ix. 25, that Pisistratus furnished the needy peasants with seeds and work animals; cf. Curtius, *History of Greece* (N. Y., 1886), i. p. 385; Cauer, *op. cit.* p. 94.

⁴ Beloch, *Wann lebten Sappho und Alkaios*, *Rheinisches Museum*, xlv. (1890), p. 469 f., is of the opinion that there was but one period of exile. The point is irrelevant to the present discussion.

⁵ i. 62: ἐν δὲ τούτῳ τῷ χρόνῳ σφι στρατοπεδευόμενοι, οἱ τε ἐκ τοῦ ἄστεως στασιῶται ἀπίκοντο, ἄλλοι τε ἐκ τῶν δῆμων προσέρβρεον, οἷσι ἡ τυραννὶς πρὸς ἐλευθερίης ἦν ἀσπαστότερον.

⁶ Many from the country joined him in his camp at Marathon; Hdt. *loc. cit.* The common soldiers seem to have offered no resistance in the battle of Pallene; *id.* i. 63. Apparently, only the nobles fought gallantly, and of this party the survivors went into exile with the Alcmeonidae; *id.* i. 64. Among these were Alcibiades

strife¹ and could place no confidence in the people. We infer the latter from the statement of Herodotus² that while Pisistratus was collecting resources, and even on his landing at Marathon, no one paid attention to his movements. The nobles must have been aware of his proceedings, but their own dissensions and their feeling that the majority of the citizens favored Pisistratus, tied their hands effectually. When, however, they learned that Pisistratus was advancing upon Athens from Marathon, they levied the whole force of the state,³ and met him at Pallene;⁴ but the army showed no spirit, and fled without an offer of resistance. It required but a word from Pisistratus to send the fugitives cheerfully to their homes.⁵ Many of the nobles, however, fell in the battle, and others who survived went into exile along with Megacles.⁶

From these facts it appears that the government of the periods of exile was oligarchic and factional, unsupported by the masses. While there may have been a greater pretense of constitutional rule, which would lead Herodotus to his statement as to the character of these times, in point of fact the country people had no greater share in the government and enjoyed far less material advantage than under the tyranny.

It appears further that on the final expulsion of the Pisistratidae a return was made to oligarchic rule, as in the time of exile. Cleisthenes had expelled the tyrant without the help of the commons. Indeed, the country people, if not still politically apathetic, might be counted on as supporters of Hippias. The cruelty of the latter had affected only those near his court, — not the commons.⁷ Many were

(Isocrates xvi. 26) and Leogoras (Andocides ii. 26). These were not the men to be accompanied into exile by the *δημος*, as Isocrates and Andocides would have us believe.

¹ Hdt. i. 60; Arist. *Ath. Const.* 14.

² i. 62.

³ *Loc. cit.*

⁴ Androtion, *Frag.* xlii., Müller's *Fragmenta Historicorum Graecorum*, i. p. 375 f.

⁵ Hdt. i. 63.

⁶ *Id.* i. 64.

⁷ It is difficult to see how his severity could affect the country people except through taxation. The fact that he resorted to various devices for raising money

bound to the tyrant, no doubt, by gifts of land from the confiscated estates of nobles. The Alcmeonid faction may have felt that it would be good policy to institute a thorough revision of the citizen list in order to deprive of civic rights the poor who had supported Pisistratus, and had received as reward the lands of the nobles.¹ In this manner the returned emigrants might hope to regain possession of their lands without incurring an excess of odium. Little disgrace would attach to the ejection of aliens from lands, as these had no legal rights to ownership of real estate.² The revision of the lists may therefore have taken place immediately on the return of the emigrants with a view to ejecting from their holdings a numerous class of the tyrant's adherents and to cutting them off from political influence.³

(Pseud. Aristotle, *Economics* ii. 5, p. 1347 a) indicates that he did not increase the taxes. Some of the passages that mention his severity do not specify how he was severe, e.g. Hdt. v. 55, 62, vi. 123; Pseud. Plato, *Hipparchus*, 229 b. From Aristotle, *Ath. Const.* 19, and Thucydides, vi. 59, we learn that his cruelty was visited upon those whom he suspected of complicity in the plot. It was undoubtedly the nobles who afterwards taught the commons of Athens that the tyranny was an evil. From them, therefore, they heard that it "became galling at last"; Thuc. vi. 53. Wilamowitz-Möllendorff, *Aristoteles und Athen*, ii. p. 75 f., states that the sentiment of the population turned against Hippias when he began to fortify for himself a castle outside the city. No authority is cited for this, and there probably is none.

¹ Aristotle, *Ath. Const.* 13: μετὰ τὴν τῶν τυράννων κατάλυσιν ἐποίησαν διαψηφισμὸν ὡς πολλῶν κοινωνούντων τῆς πολιτείας οὐ προσήκον. The usual word is διαψηφισίς; cf. Sandys' edition, p. 53, n. on διαψηφισμὸν.

² Metics could not acquire land in Attica without special permission; Thumser, *Griechische Staatsaltertümer* (1892) in Hermann's *Lehrb. d. Griech. Antiquitäten*, i⁶. p. 420, and n. 5; Busolt in Müller's *Hdb. d. klass. Altertums-wissenschaft*, iv². (1892), p. 197.

³ Beloch, *Griechische Geschichte*, i. p. 334, n. 2, supposes that the διαψηφισμός came after the Cleisthenean reforms, and opposing it to the statement of Aristotle, *Politics* iii. 1, 10, p. 1275 b, 36 f., as to the enrollment of aliens and (manumitted) slaves, says the moment for such a measure was ill chosen. Very well, then, let us take Aristotle at his word and assign the διαψηφισμός to a moment not at all ill chosen, viz., (immediately) after the overthrow of the tyranny. It is well not to go too far out of the way in order to make an author contradict himself. Wilamowitz-Möllendorff, *op. cit.* ii. p. 76, places the διαψηφισμός immediately after the retirement of Cleisthenes, i.e. identifies it with the expulsion of the 700 families. But Herodotus gives an entirely different reason for their banishment, viz.,

III. CLEISTHENES AND ISAGORAS.

Now if we have reasoned correctly thus far, it appears probable that this measure was passed through the influence, or at least with the consent, of Cleisthenes. From of old the Alcmeonidae were oligarchs in politics.¹ The father of Cleisthenes, Megacles, leader of the Paraliens, it is true, favored a moderate or mixed form of government, such as that of Solon appears to have been.² But in the time immediately following the archonship of Solon the Alcmeonidae are placed among those parties who were dissatisfied with existing conditions and eager for change.³ We may infer from Aristotle's account of the three local factions⁴ that the Paraliens were dissatisfied with Solon's measures because of the great losses they had suffered through the abolition of debts. We may safely say, therefore, that the Alcmeonidae favored merely those features of the Solonian reforms which were passed in the interest of commerce and the industries.⁵ They cared nothing for the farmers. Otherwise, why did they not appear as champions of this party, and allow no room for the advancement of Pisistratus, their formidable rival? Certainly Herodotus⁶ represents the organization of the Pediaeans and Paraliens under their respective leaders as prior to Pisistratus' championship of the Diacrians. A third party was possible only because the interests of

the Cylonian pollution. Aristotle is our only authority for this *διαψηφισμός*, and if there is no serious objection, we may allow him to give his reason for it, namely, that many persons were partaking in the franchise without having a right to it; *Ath. Const.* 13. These were supporters of Pisistratus, therefore, and not of Cleisthenes.

¹ Cf. W. Vischer, *Ueber die Stellung des Geschlechts der Alkmaioniden in Athen*, *Kleine Schriften* i. p. 400 ff.

² Aristotle, *Ath. Const.* 13; Plutarch, *Solon* 13; cf. Arist. *Politics* ii. 12, p. 1273 b, 39. Further, if the Alcmeonidae were restored to civic rights by Solon's edict of amnesty, as appears probable (see below), they would be naturally inclined to favor his measures; cf. Wilamowitz-Möllendorff, *op. cit.* ii. p. 75.

³ Plutarch, *Solon* 29.

⁴ *Ath. Const.* 13; cf. Wright, *The Date of Cylon*, in *Harvard Studies in Classical Philology*, iii. (1892), p. 56 and n. 1.

⁵ Cf. Wright, *op. cit.* pp. 53, 57.

⁶ i. 59.

a large class of citizens were not represented by either of the other parties.

Again, Cleisthenes of Sicyon, the maternal grandfather of the Athenian Cleisthenes, must have at heart entertained the utmost contempt for a considerable class of his subjects, — apparently the rural plebs, as indicated by the names which he gave their tribes, viz., Piglings, Donkeys, and Porkers,¹ although his line, the Orthagoridae, by an outward show of respect for popular rights, maintained their sovereignty for a remarkable length of time.² The Athenian Cleisthenes seems to have resembled his maternal grandfather.³ Thus, the Athenian Cleisthenes at first disdained the commons.⁴ He effected his return without their help or sympathy.⁵ It was destined from the

¹ Hdt. v. 68.

² Aristotle, *Politics* ix. 11, p. 1315 b, 11 ff.

³ Cf. Holm, *Griechische Geschichte*, i. (1886), p. 504, *English Translation*, i. (1894), p. 422.

⁴ Hdt. v. 69.

⁵ Isocrates, vii. 16 and xv. 232, represents the δῆμος as in exile in the time of the Pisistratidae (as in the time of the Thirty) and Cleisthenes (like Thrasybulus) as leader of the δῆμος on its return. I have no doubt that the parallel of the Thirty and Thrasybulus was in his mind. But, in point of fact, the δῆμος did not go into exile in the reign of the Pisistratidae, nor was it as leader of the δῆμος that Cleisthenes returned; but the democratic tendency of the measures which Cleisthenes felt himself compelled to introduce was a sufficient cause for the popular belief, represented by Isocrates, that Cleisthenes was a democrat originally and on principle. Wilamowitz-Möllendorff, *Aristoteles und Athen*, ii. p. 76 f., correctly appreciates the political attitude of Cleisthenes: "Es scheint aber durchaus nicht, dass die Athener mit Kleisthenes stark sympathisirten," and "Dieser aristokrat erst ist der vater der demokratie." Cf. Abbott, *Pericles and the Golden Age of Athens* (1891), p. 12 f. On the other hand, Wilamowitz-Möllendorff misunderstands Isagoras: "Die wirren nach dem abzuge des Hippas . . . endeten nach jahresfrist damit, dass ein mann der reactionären adelspartei zum archon gewählt ward, der ein regiment ganz in Spartas sinne einzurichten sich anschickte." I wish here to lay emphasis on the fact that Cleisthenes' party was the aristocratic party, and that Isagoras was leader of those who had supported Hippas or had at least acquiesced in his rule. And Sparta's policy was not so homogeneous as might be supposed. Cleomenes was at strife with the ephors, and we must not suppose that his interference in Attica was in the interest of the Spartan oligarchy. It would seem rather that he was making use of the alliance with Isagoras to render himself more independent of the ephors. He would strongly object, therefore, to the establishment of an oligarchy in Athens.

beginning that the new government should be in the interest of the nobles, just as it had been in the time of Pisistratus' exile. Herodotus¹ represents the new era as one of freedom; but freedom was only for the nobles, as during the exile. Probably no thought of altering the constitution arose.² We may well imagine that the returned emigrants felt themselves masters of the state and carried things with a high hand.

Hippias was expelled early in the year 510 B.C.³ The internal history of Athens for the two years following, 510/9 and 509/8, is nearly a blank. Two events only we are able to assign to these years. The first is the passage of the *διαψηφισμός*, already considered. The second event is the struggle between Cleomenes and Isagoras. This contest seems to have been factional rather than political, — a contest in which the machinations of clubs played an important part.⁴

Isagoras was of a noble family, it is true, but his ancestry beyond the father was unknown to Herodotus.⁵ Aristotle⁶ makes him a friend of the tyrants. He could not have been an active, useful ally, however, for he entertained Cleomenes and formed a lasting friendship with him while the latter was besieging Hippias in the Acropolis. Yet from this very circumstance it appears that Isagoras was not an emigrant and must, therefore, have been on amicable terms with the ruling family. Also, as an opponent of Cleisthenes, he no doubt was associated with the friends of Hippias who remained in Athens, and probably even became a leader of their party.⁷ We understand from

¹ v. 64.

² "Es ist auch ja an sich evident, dass die Verfassungsfrage sogleich nach der Befreiung erledigt werden musste"; Beloch, *Griechische Geschichte*, i. p. 338, n. 1. This is not at all evident. Through all the ten years of Pisistratus' (second?) exile, the question as to the constitution was not settled, — does not appear to have come up. No more need it after another exile, which proved to be final.

³ Thucydides vi. 59; Aristotle, *Ath. Const.* 19, 21; notes in Sandys' edition, p. 75; Clinton, *Fasti Hellenici*, ii. p. 18; Busolt, *Griechische Geschichte*, ii². p. 397.

⁴ Arist. *Ath. Const.* 20.

⁵ v. 66.

⁶ *Ath. Const.* 20.

⁷ Cleisthenes opposed the tyrant's party not only while the tyrant was in power, but continued his opposition thereafter, — it was to rid the state of Hipparchus

Herodotus that the policy of Isagoras was by no means democratic, but rather that the people were not taken into account in the contest. The strife seems to have been for the archonship for the year 508/7, although even this is not expressly stated. Cleisthenes, worsted through the clubs (Aristotle), took the people into his club¹ (Herodotus), offering them the franchise (Aristotle). Here it becomes difficult to determine the order of events. As Aristotle in the main follows Herodotus, it seems to me best to begin the examination of the chronology by an analysis of the earlier source.

Herodotus states three separate times that Cleisthenes associated the people with himself:

(1) ἐσσούμενος δὲ ὁ Κλεισθένης τὸν δῆμον προσεταιρίζεται· μετὰ δὲ τετραφύλους ἔοντας, κτλ. v. 66.

(2) ὡς γὰρ δὴ τὸν Ἀθηναίων δῆμον πρότερον ἀπωσμένον τότε πάντα πρὸς τὴν ἑωυτοῦ μοῖραν προσεθήκατο. v. 69.

(3) ἦν τε τὸν δῆμον προσθέμενος πολλῶ κατύπερθε τῶν ἀντιστασιωτέων. v. 69.

Between (1) and (2) he inserts an account of the tribal arrangements made in Attica by Cleisthenes, and in Sicyon by his maternal grandfather, also named Cleisthenes. Herodotus supposes that the Athenian Cleisthenes was in these arrangements simply imitating his grandfather. But the matter inserted between (1) and (2) is evidently a digression. In (2) he resumes what he has said in (1) and adds particulars in regard to the tribes,—their names, number, and composition.

Thus far Herodotus has not advanced a step. We have only learned that Cleisthenes at first attached the people to himself, and afterwards (μετὰ δὲ, v. 66) made these changes in the tribes.

Again, τὸν δῆμον προσθέμενος in (3) is but a resumption of (2) and (1). Surely he attached the people to himself but once. The details as to the tribes between (2) and (3) are another digression, inseparably connected with the account of the tribes in Athens given

that he introduced ostracism; Arist. *Ath. Const.* 22. Isagoras, as opponent of Cleisthenes, was compelled to make common cause with the tyrant's party.

¹ Cf. Oncken, *Staatslehre des Aristoteles*, ii. (1875), p. 454.

between (1) and (2). Further, (1), (2), and (3), so far as *προσεταιρίζεται*, *προσεθήκατο*, and *προσθέμενος* are concerned, refer to one and the same act.

But (3) is a repetition for a special purpose, — it shows the means by which he got the better of his political opponents, *i.e.*, not by constitutional changes, but by gaining over the people to his side.

It is important for us to determine the chronological order of three events mentioned:

- (a) Winning the favor of the people.
- (b) Victory over his opponents.
- (c) Constitutional changes.

The only particles of time given with which we are concerned are *μετά* in (1) and *ὥς* (with the aorist) in (2). These show that (a) precedes (c) in time. A note of time is also indicated in the participle *προσθέμενος* in (3). This participle expresses the means by which Cleisthenes gained the superiority over his opponents. (a) is followed immediately therefore by (b). No note of time is given for the relation between (b) and (c), but from the preceding conclusion we should infer that the connection of (c) with (a) is more remote than the connection of (b) with (a); that accordingly (c) followed (b), and that the order of events is as above indicated, *viz.*, (a), (b), and (c).

We come to this conclusion simply from the study of the language. The fact that (c) appears between (1) and (2) and again between (2) and (3) is unimportant. Digressions and repetitions in Herodotus are too frequent to require illustration.¹

¹ "Herodot erzählt die Verfassungsreform vor der Intervention des Kleomenes;" Beloch, *Griechische Geschichte*, i. p. 338, n. 1. True, he narrates the reform of the constitution before the intervention of Cleomenes; but events do not always occur in the order in which they are narrated. If this were the case, we should have, for instance, the Cylonian insurrection following the overthrow of tyranny. Again, Beloch, *loc. cit.*, says, "übrigens sagt auch er (Aristoteles), dass Cleisthenes unmittelbar nach dem Sturz der Tyrannen *προσηγάγετο τὸν δῆμον, ἀποδιδούς τῷ πλήθει τὴν πολιτείαν*." This is incorrect. Aristotle does not say "*immediately* after the overthrow of the tyrants." Indeed, he asserts the contrary; he places the *factional strife* — *ἐστασιαζον* — and the *defeat of Cleisthenes* — *ἡττώμενος δὲ ταῖς ἐταιρείαις* — between the expulsion of the tyrants and the attachment of the people to Cleisthenes through an offer of the franchise.

With this result in mind, let us now continue our account of the events. It was said above that Isagoras as an enemy of Cleisthenes was leader of the tyrant's party. Undoubtedly this party centered in the Boule of the Areopagus. For a half century (with temporary interruption) this body had been filled, through the archonship, with partisans of the ruling family.¹ But it would be wrong to suppose that the Areopagites were now mostly nobles. No doubt many kinsmen of Hippias were members of the Boule of the Areopagus, but some of these had accompanied him into exile. Aside from this family, the Areopagites must have been for the most part insignificant men, who cared little for power or independence, but were willing to support Hippias or, in his absence, some other tyrant. Isagoras was aspiring to the tyranny. At least we find Cleomenes a little later endeavoring to establish him despot of Athens,² and there is no reason why Isagoras should not have entertained thoughts of absolute power from the beginning. Now that tyranny had lasted in Athens for fifty years, it may have seemed the more natural form of government. But in the case of Isagoras, it was not to be a popular tyranny, but was to depend rather upon the Lacedaemonian king for support. Cleomenes had no love for ephorate, double kingship, or oligarchy. His ambition was personal.

It is assumed by the moderns that the three hundred partisans of Isagoras were nobles. So far as I am aware this is a mere hypothesis, and on close scrutiny it is found to be wholly unsupported. Three hundred nobles would have presented an impassable obstacle in Isagoras' way to the tyranny. Besides, where did these three hundred nobles come from? If many Athenian nobles fell at Pallene and many went into exile with Megacles, could three hundred nobles still remain? Attica was a small poor country and could hardly have supported so many nobles. To me it seems that they were mostly Areopagites, mostly insignificant men, who were ready to support

¹ "For as it was composed only of all the past archons, and as, during the preceding thirty years, every archon had been a creature of the Peisistratids, the Areopagites collectively must have been both hostile and odious to Kleisthenes and his partisans, — perhaps a fraction of its members might even retire into exile with Hippias;" Grote, *History of Greece*, iv. p. 149.

² Herodotus, v. 74.

Isagoras in his aims at the tyranny. Cleomenes attempted to place the offices in their hands. They would thus be only regaining what they had lost through the banishment of Hippias.¹

Isagoras now held the archonship, 508/7.² Cleisthenes, the defeated candidate as we suppose, made a bargain with the people offering them the franchise in exchange for their support.³ He may have

¹ There are but two statements, so far as I know, touching Isagoras' political principles: the statement of Aristotle, *Ath. Const.* 20, that he was a friend of the tyrants, and of Herodotus, v. 74, that Cleomenes was attempting to establish him tyrant at Athens. Neither of these statements would make him leader of an oligarchic reactionary party, as has been claimed. Cleomenes must have known that Isagoras aspired to the tyranny, for he would surely not think of acting against his friend's fixed principles. How early Isagoras began to entertain such aspirations cannot be ascertained from our present sources: yet certainly it was before he parted company with Cleomenes at Eleusis (?), and he may have set his heart on absolute power even from the downfall of Hippias. Those Athenians (undoubtedly including Isagoras) who accompanied Cleomenes as far as Eleusis and took up their abode under the protection of a Lacedaemonian garrison were condemned to death in their absence, their houses destroyed, their estates confiscated, and their names engraved on a bronze pillar set up near the Erechtheum, on the Acropolis; Schol. Aristoph. *Lysistrata*, 273. Thus they were punished as tyrants and as offenders against the gods. Again, the three hundred were called partisans of Isagoras (Hdt. v. 72) and friends of Isagoras (Arist. *Ath. Const.* 20; cf. Hdt. *loc. cit.*); but they are nowhere spoken of as nobles, or as entertaining oligarchic reactionary sentiments.

² But how he emphasized the importance of the archonship (Holm, *Griechische Geschichte*, ii. p. 237, *English Translation*, ii. p. 207) I cannot imagine. All the offices declined under the tyranny, and naturally revived on its abolition. But we have no reason for attributing the revival of the archonship to Isagoras; it was only his struggle with Cleisthenes and the constitutional changes of the latter that made the year of his office memorable in history. It seems to me that he must have been elected to the archonship before Cleisthenes offered the franchise to the people, as there was no chance for him after this move. If it should be assumed that Isagoras was elected to the archonship through the influence of Cleomenes' presence in Athens, what, then, were the nature and occasion of Isagoras' previous victory and Cleisthenes' defeat? I know of no satisfactory answer to this question.

³ The Alcmeonidae now occupied dangerous ground. From traditional principle they were oligarchs, — supporters of that part of the Solonian constitution which favored them politically and economically, but opposed, as we gather from their history, to the admission of the lower classes to the franchise. Now for policy's sake they favored democracy, — became leaders of the very party that had

done this through the Boule (of 400?),¹ filled as it was by lot and thus politically independent of Isagoras. To maintain himself in office, Isagoras now called on Cleomenes,² king of the Lacedaemo-

supported the Pisistratidae, their deadliest foes. No wonder, then, that with this double motive the family became divided against itself. This explains why Megacles, nephew of Cleisthenes, was ostracised as a friend of the tyrants; Arist. *Ath. Const.* 22. Cleisthenes, himself, immediately after the adoption of his reforms disappears from history. Pausanias, i. 29. 6 (or his source), saw his tomb among the tombs of those who had fallen in defense of their country. It is likely, therefore, that he was slain in the war with Aegina, Chalcis, and Thebes, which immediately followed his reforms; for if he had lived, we should probably have heard of him. The idea that he was ostracised (Aelian, *Varia Historia*, xiii. 24) arose from a misunderstanding. Aelian probably supposed that his retirement on the interference of Cleomenes was brought about by a vote of ostracism; Oncken, *op. cit.* ii. p. 459.

¹ To assert, as Beloch, *Griechische Geschichte*, i. p. 338, n. 1, does, that the Boule which Cleomenes attempted to dissolve was the Cleisthenean council of 500, is simply to beg the question. The settlement of this point depends entirely upon the chronology. Because no notice of the Boule of 400 appears between Solon and Cleisthenes, Niese, *Historische Zeitschrift*, lxix, (1892), p. 65 f., denies its existence. "Why," he asks, "did not Isagoras try to introduce it instead of the 300?" The answer to this question is, as I shall endeavor to show, that the Boule of 400 was the very Boule which Isagoras was trying in vain to put out of the way. But Busolt, *Griechische Geschichte*, ii². p. 402, n. 6, assumes that the Solonian Boule was not well rooted in the people, and consequently never made itself felt. The Cleisthenean Boule, he says, *op. cit.* p. 46, n. 2, was more influential because it represented the demes. To this we may object, in the first place, that the Solonian Boule may have represented the naucraries (Ed. Meyer, *Geschichte des Alterthums*, ii. 1893, p. 659), and if it did, it ought to have been as influential as the Cleisthenean Boule. We know so little of the period between Solon and Pisistratus (594-60) that we are not in a position to judge of the influence of the Boule during this time. And, in the second place, I should like to inquire what was the great part which the Cleisthenean Boule played in the history of the next thirty or thirty-five years? It does not seem to be mentioned in connection with any important event; and were it not for inscriptions, we should hardly know of its existence in that time. It is unnecessary, however, to attribute high motives to the Boule which Isagoras attempted to dissolve. A sufficient reason for its resistance might be found in the attempt to dissolve it. Whatever its character, it must have preferred Cleisthenes' terms to absolute annihilation.

² In view of the democratic professions which Cleisthenes had now made, as well as in view of his actual later accomplishments, the intervention of Cleomenes was anti-democratic. So it was regarded by Aristophanes, *Lysistrata*, 276 ff.

nians, for help. Cleomenes dispatched a messenger to Athens warning "the Accursed" to depart. Hereupon Cleisthenes withdrew into exile. The rest of the story is clear.

From the very nature of the Cleisthenean reforms considerable time was required for putting them into effect. This is admitted by both Beloch¹ and Busolt.² They acknowledge that these reforms could be completed only after the overthrow of Isagoras. Now, the introduction of his tribes and demes would undoubtedly demand more time than any other part of the new arrangements. It seems quite certain that the tribes and demes, the essential part of his system, were not erected till after the overthrow of Isagoras.

Pollux³ places the institution of the ten tribes in the archonship of Alcmeon. Wilamowitz-Möllendorff⁴ makes this the first year of the new arrangement, 506/5, as he reckons; according to Busolt⁵ it was 507/6. Wilamowitz-Möllendorff⁶ believes that Pollux's source is the Attic "chronicle," and suggests that it was perfectly natural for Cleisthenes to provide a successor from his own gens. If this reasoning is correct, the Boule of 500, the ten tribes, and the demes do not come in before the year 507/6 or 506/5.

IV. BELOCH'S VIEW.

I wish now to call attention to the points which Beloch offers in favor of his view as stated in the introduction to this article, viz., that the trial of the Alcmeonidae took place after the adoption of the Cleisthenean constitutional reforms.

(1) The coincidence of circumstances in the two accounts.

The only coincidence is in the number three hundred. Beloch supposes that the three hundred followers of Isagoras were nobles; and if this were the case, the coincidence would indeed be striking. But I have already shown that there is no ground for this view, that

¹ *Griechische Geschichte*, i. p. 338, n. 1.

² *Griechische Geschichte*, ii³. p. 402, n. 6.

³ viii. 110.

⁴ *Aristoteles und Athen*, ii. pp. 81, 417, n.

⁵ *Op. cit.* ii³. p. 402, n. 6.

⁶ *Op. cit.* ii. p. 417, n.

far more probably the partisans of Isagoras were insignificant men. Since, therefore, the three hundred mentioned by Aristotle and Plutarch were nobles, as expressly stated,¹ we have here a point of contrast rather than of likeness. Another point of contrast may be found in the nature of the two bodies. The three hundred who tried the Alcmeonidae were evidently a court; Isagoras' band was apparently a would-be Boule, whether modelled after the Boule of the Areopagus or some other body cannot be determined. I conclude that the coincidence in number may be purely accidental, as there seems to be no safe ground for assuming an historical relation.

(2) Myron's δημοτικόν.

In the trial of the Alcmeonidae Myron was accuser.² His δημοτικόν is given by Plutarch, and it is claimed that the accusation was brought after the adoption of the Cleisthenean reforms, because it was only after Cleisthenes that the custom of adding the δημοτικόν was practised.³ Beloch⁴ supposes that Myron brought this action against the Alcmeonidae through a decree of the people, that the document with Myron's name and δημοτικόν was preserved, and that some Atthid-writer connected it immediately with the Cylonian sacrilege. Busolt,⁵ following Beloch, supposes that the name Myron, the δημοτικόν, and the decree were engraved on a stone, and that this was used by the Atthid-writer in his story. These are assumptions without a particle of support. It was a case of impiety (ἀσέβεια),⁶ and this came before the βασιλεύς,⁷ and was tried certainly in the time of the orators, and probably earlier, before a Heliastic court.⁸ If the Boule of the Areopagus tried the case, it was for a special

¹ Plutarch, *Solon*, 12; Aristotle, *Ath. Const.* 1; cf. Sandys' edition, p. 1, n. on ἀριστινδην, and Kaibel, *Stil und Text der 'Αθηναίων Πολιτεία des Aristoteles* (1893), p. 117.

² Arist. *Ath. Const.* 1; Plutarch, *Solon* 12.

³ Aristotle, *Ath. Const.* 21.

⁴ *Griechische Geschichte*, i. p. 339, n. 1.

⁵ *Griechische Geschichte*, ii². p. 209, n. 1.

⁶ Grote, *History of Greece*, iii. p. 83; Meier and Schömann, *Der attische Process* (1893), p. 368 (Verletzung des ihnen [Tempel und Altäre] zukommenden Asylrechts), and n. 480.

⁷ Meier and Schömann, *op. cit.* p. 62.

⁸ *Id.* p. 373.

reason.¹ The punishment for such an offense was fining, exile, confiscation of property, or death.² Perpetual banishment is also mentioned.³ If the case had been tried under the Cleisthenean constitution, it would have come, so far as we know, before a Heliastic court; but since, as I believe, it took place before the archonship of Solon, it was tried before a special court, *i.e.*, that of the three hundred nobles. In neither case would it be necessary that a decree of the people should be obtained. Especially if the trial was under the Cleisthenean constitution, it is highly improbable that either oligarchic reactionists or would-be tyrants would dare to bring such a measure before the people. We cannot believe the Athenians were so ungrateful as to expose their recent deliverers and benefactors to so great a risk of falling into perpetual exile.

However, even if Myron had brought a resolution before the assembly relating to the trial of the Alcmeonidae or on any subject whatever, his δημοτικόν would not have appeared on the record of the decree; for it was not till the fourth century B.C. that the δημοτικόν of the proposer was recorded.⁴ Beloch's chief ground for his date of the trial is thus taken from him. It is strange that Busolt⁵ should be convinced by Beloch's argument, since he is aware that "In den Volksbeschlüssen des 5. Jahrhunderts herrscht der Gebrauch des blossen Eigennamens vor, nur der γραμματεὺς fügt sein δημοτικόν, bisweilen auch den Vatersnamen hinzu."⁶

But a sufficient reason for Myron's δημοτικόν can be given. In the first place we know that there were demes in Attica before Cleisthenes.⁷ We know little of their nature, but they were at least locali-

¹ *Id.* p. 374.

² *Id.* p. 375.

³ *Id.* p. 375, n. 508 a; cf. p. 368, n. 477.

⁴ Cf. Larfeld, in Müller's *Handbuch der Klassischen Altertumswissenschaft*, i². (1892), p. 560 ff.

⁵ *Griechische Geschichte*, ii². pp. 209, n. 1 and 402, n. 6.

⁶ *Id.* p. 410, n. 4.

⁷ Herodotus, i. 60, 62; Aristotle, *Ath. Const.* 14; Plutarch, *Theseus*, 24, 32. Phye of the time of Pisistratus was distinguished by the name of her deme, as we learn from Herodotus and Aristotle.

ties ; and there is certainly no objection to supposing that a person might be distinguished unofficially by the name of his locality before Cleisthenes. But in Myron's case a special reason exists for associating him closely with the place of his abode. Myron belonged to the locality in which the Attic gens of the Lycomidae had its seat,¹ and was probably himself a member of this gens. We are led to this view especially by the fact that the cult of this gens was important for the atonement of the *ἄγος*.² According to Plutarch,³ Themistocles also belonged to this gens. Leobotes of Agraule, an Alcmeonid, indicted Themistocles for treason⁴ in return, it may have been, for the prosecution of the Alcmeonidae by Myron of Phlya. It is reasonable to suppose that the enmity between these two demes, Agraule and Phlya, led the Atthid-writer to add the *δημοτικόν* to Myron's name, which in its official use would have been an anachronism.

If, then, as is probable, Myron was connected with the Lycomidae, we have additional evidence that the trial did not take place in the time of Cleisthenes, for Myron would be performing a religious duty to his gens, and this motive would render unnecessary the supposition that he was acting as the tool of Isagoras and Cleomenes.

(3) The authority of Thucydides and Herodotus.

Thucydides⁵ speaks of only two expulsions of the Alcmeonidae. After describing the Cylonian affair, and the curse which the Alcmeonidae incurred in consequence of the slaughter of the Cylonian party, he continues, ἤλασαν μὲν οὖν καὶ οἱ Ἀθηναῖοι τοὺς ἐναγείς τούτους, ἤλασε δὲ καὶ Κλεομένης ὁ Λακεδαιμόνιος ὕστερον μετὰ Ἀθηναίων στασιαζόντων, τοὺς τε ζῶντας ἐλαύνοντες καὶ τῶν τεθνεώτων τὰ ὀστᾶ ἀνελόντες [ἐξέβαλον].

It is not perfectly clear whether Thucydides intended to connect τοὺς τε ζῶντας ἐλαύνοντες . . . ἀνελόντες [ἐξέβαλον] with one or both of the preceding verbs (ἤλασαν, ἤλασε). Strict grammatical agreement,

¹ Töpffer, *Attische Genealogie* (1889), p. 208 f.

² Cf. Töpffer, *Attische Genealogie*, p. 215 ; Diels, *Ueber Epimenides von Kreta*, *Sitzungsberichte der königlich preussischen Akademie der Wissenschaften zu Berlin* (1891), pp. 390, n. 3, 391 ; Busolt, *Griechische Geschichte*, ii². p. 209, n. 6 (at end).

³ *Themistocles*, 1.

⁴ *Id.* 23.

⁵ i. 126.

if any importance is to be attached to such a thing in Thucydides, would require us to construe ἐλαύνοντες and ἀνελόντες with a plural verb.¹ In that case, the exhumation must have accompanied the first expulsion, and may have accompanied both. At all events, if the trial occurred shortly before the archonship of Solon, a generation must have passed since the commission of the sacrilege; and the ceremony of exhumation is applicable to this time, as many of the participants were dead.² There is no doubt that

¹ It is even possible that when Thucydides wrote ἤλασαν μὲν οὖν, he intended to put the δὲ with κατῆλθον and express the act of Cleomenes in a separate sentence or omit it altogether, but that, changing his point of view, he threw the statement of this fact into a parenthesis, ἤλασε δὲ καὶ . . . στασιαζόντων. This would help to explain the distance of ἐλαύνοντες and ἀνελόντες from the verb with which they seem to be construed. My chief reason for believing ἤλασε δὲ καὶ . . . στασιαζόντων to be parenthetical is the subordinate nature of the fact which it expresses. Were any other people than the Lacedaemonians demanding the expulsion of Pericles, Cleomenes would hardly have been mentioned. And, in point of fact, it was a matter of curious interest rather than of real importance to one reading the causes of the Peloponnesian War, that a Lacedaemonian king once expelled the Alcmeonidae on the ground of religious pollution. I am indebted to my colleague, Professor Wright, for the suggestion of a parenthesis, but the reasoning here given is mine.

² Cauer, *Parteien und Politiker in Megara und Athen*, p. 64 f., holds that those who were really guilty (including a few Alcmeonidae perhaps, but by no means Alcmeon) were indeed banished before Solon, that the whole gens of the Alcmeonidae was expelled by Pisistratus, who was the first to make a pretext of the Cylonian curse, and that finally the Spartan Cleomenes was so brutal as to disturb the peace of the dead. Cauer, misunderstanding the nature of the charge brought against the Alcmeonidae, supposes, therefore, that they were not included in Solon's edict of amnesty, and tries to explain the presence of Alcmeon in Athens after the archonship of Solon. When it becomes known that the offense was impiety, not murder, the motive of Cauer's hypothesis vanishes. I do not find anything in favor of his climax but its attractive appearance. In order to build it up, he disposes quite arbitrarily of the material furnished by Isocrates and Plutarch. Isocrates is notably uncritical, and no great weight is to be attached to his views of early Attic history. The ceremony of exhuming the bones belongs to the religious sphere. Is it not probable that the Athenian idea of the solidarity of the family (living and dead) was as clear cut in the time of Solon as in the time of Cleisthenes? It seems to me that the age which gave birth to the ceremonial court of the Prytaneium would not hesitate to execute a judicial sentence on the bones of the dead. When the precedent was once established, the ceremony

Aristotle¹ and Plutarch² believed that the Alcmeonidae were tried before Solon's archonship.

Again, Thucydides says that the Athenians expelled them. He contrasts this with their later expulsion by Cleomenes and his Athenian partisans. This language could not apply to the retirement of the Alcmeonidae after the battle of Pallene. Pisistratus with his foreign mercenaries and allies could not be called Athenians any more than Cleomenes with his Athenian partisans. Herodotus says that after the battle of Pallene the Alcmeonidae and others fled (ἐφειγον) from the country. The word might signify 'were banished,' but there is nothing to lead us to interpret it so. Pisistratus had retired from the country when his two political opponents combined against him. Now that he, through his mercenaries and allies, had proved superior to his political opponents, they must retire. It would have been unsafe for them to wait for a trial.

Thucydides' statement that the Athenians expelled these, and that subsequently (ῥωτερον) Cleomenes expelled them, deserves attention. We should judge from the word ῥωτερον that the first expulsion took place in immediate connection with its cause, and therefore not so late as the battle of Pallene.

Thucydides mentions only two expulsions because he is dealing only with the curse and its effects. It required no curse to drive Pisistratus into exile; it would require none to cause the retirement of his opponents defeated in battle.³

could in after generations be repeated on one or many occasions without any necessity of recurring to the same old bones; cf. Cauer, *op. cit.* p. 64 f.: "Wo bekam man nur immer die alten Knochen wieder her, welche schon wiederholt über die Grenze geworfen waren?"

¹ *Ath. Const.* 1.

² *Solon* 12. Aristotle and Plutarch are not independent authorities on this point. Either Plutarch drew indirectly from Aristotle (cf. Wright, *op. cit.* p. 25 and n. 3), or the two accounts go back to a common Attidic source (Androtion?).

³ The part of this paper which deals with Beloch's third point was, in the main, prepared before the appearance of Busolt's second volume (*Griechische Geschichte*, ii². (1895) p. 209, n. 1), and I find myself in agreement with him.